

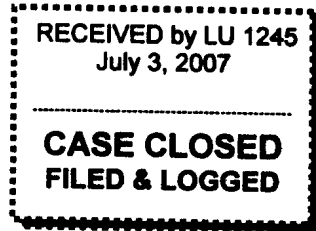
*7.1: Just cause for the discharge of a San Carlos Elect. T&D Assistant for an avoidable vehicle accident (two incidents within less than a year and was short-service which resulted in significant property damage).*



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MARGARET A. SHORT, CHAIRMAN  
DECISION  
LETTER DECISION  
PRE-REVIEW REFERRAL

## REVIEW COMMITTEE



**IBEW**



INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS, AFL -CIO  
LOCAL UNION 1245, I.B.E.W.  
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VACAVILLE, CALIFORNIA 95696  
(707) 452-2700  
BOB CHOATE, SECRETARY

### Pre-Review Committee No. 17167 Energy Delivery - OM&C – Electric T&D – San Carlos

Nicole Collins  
Company Member  
Local Investigating Committee

Landis Marttila  
Union Member  
Local Investigating Committee

#### Subject of the Grievance

This case concerns the discharge of an Electric T&D Assistant for an avoidable vehicle accident.

#### Facts of the Case

At 1:30 p.m. on November 29, 2006 the grievant was driving a cable pulling truck when he rear-ended a third party automobile. The grievant came to a complete stop at a red light behind another vehicle. When the light turned green, the grievant removed his foot from the brake and pressed the accelerator because he saw the car to his left, in the left turn lane, move forward. The car in front of him had not moved. He did not apply the brakes until his passenger told him, Whoa. At that point it was too late to stop the truck. The grievant provided no plausible reason why the accident happened. The grievant indicated no problems with the truck in his pre-check inspection. The Grievant and one other employee usually drive the vehicle everyday when it goes out to jobs. The truck was last inspected prior to the accident on November 27, 2006.

At the time of this accident, the grievant was on an active DML for another avoidable accident which resulted in significant property damage. The DML was upheld in P-RC Decision No. 16564, closed April 26, 2007.


The grievant had approximately 14 months of service when discharged in January 2007.

Discussion

The Pre-Review Committee noted that the grievant was involved in two avoidable incidents within less than a year, was short-service, and in both incidents placed blame on the vehicle which was not confirmed upon examination.

Decision

The discharge was for just cause. This case is closed without adjustment.



Margaret A. Short, Chairman  
Review Committee

6/30/07

Date



Bob Choate, Secretary  
Review Committee

6/30/07

Date